

AMENDMENTS

1987—Subsec. (a). Pub. L. 100-202 added subsec. (a) and struck out former subsec. (a) which read as follows: “An appropriation required to be apportioned under section 1512 of this title may be apportioned on a basis that indicates a necessity for a deficiency or supplemental appropriation to the extent necessary to permit payment of pay increases for prevailing rate employees whose pay is fixed and adjusted under subchapter IV of chapter 53 of title 5.”

§ 1516. Exemptions

An official designated in section 1513 of this title to make apportionments may exempt from apportionment—

- (1) a trust fund or working fund if an expenditure from the fund has no significant effect on the financial operations of the United States Government;
- (2) a working capital fund or a revolving fund established for intragovernmental operations;
- (3) receipts from industrial and power operations available under law; and
- (4) appropriations made specifically for—
 - (A) interest on, or retirement of, the public debt;
 - (B) payment of claims, judgments, refunds, and drawbacks;
 - (C) items the President decides are of a confidential nature;
 - (D) payment under a law requiring payment of the total amount of the appropriation to a designated payee; and
 - (E) grants to the States under the Social Security Act (42 U.S.C. 301 et seq.).

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 931.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1516	31:665(f)(1).	R.S. §3679(f)(1); Mar. 3, 1905, ch. 1484, §4(1st par.), 33 Stat. 1257; Feb. 27, 1906, ch. 510, §3, 34 Stat. 48; restated Sept. 6, 1950, ch. 896, §1211, 64 Stat. 767.

In the section, before clause (1), the word “apportionments” is substituted for “apportionments and reapportionments” because of section 1512(a)(last sentence) of the revised title. In subclause (D), the word “law” is substituted for “private relief acts or other laws” to eliminate unnecessary words.

REFERENCES IN TEXT

The Social Security Act, referred to in par. (4)(E), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended, which is classified generally to chapter 7 (§301 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

§ 1517. Prohibited obligations and expenditures

- (a) An officer or employee of the United States Government or of the District of Columbia government may not make or authorize an expenditure or obligation exceeding—
 - (1) an apportionment; or
 - (2) the amount permitted by regulations prescribed under section 1514(a) of this title.
- (b) If an officer or employee of an executive agency or of the District of Columbia govern-

ment violates subsection (a) of this section, the head of the executive agency or the Mayor of the District of Columbia, as the case may be, shall report immediately to the President and Congress all relevant facts and a statement of actions taken. A copy of each report shall also be transmitted to the Comptroller General on the same date the report is transmitted to the President and Congress.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 932; Pub. L. 108-447, div. G, title I, §1401(b), Dec. 8, 2004, 118 Stat. 3192.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1517(a)	31:665(h).	R.S. §3679(h), (i)(2)(related to (h)); Mar. 3, 1905, ch. 1484, §4(1st par.), 33 Stat. 1257; Feb. 27, 1906, ch. 510, §3, 34 Stat. 48; restated Sept. 6, 1950, ch. 896, §1211, 64 Stat. 768.
1517(b)	31:665(i)(2)(related to (h)).	

In subsection (a), before clause (1), the words “District of Columbia government” are added because of section 9 of the Act of June 26, 1912 (ch. 182, 37 Stat. 184). In clause (1), the word “apportionment” is substituted for “apportionment or reapportionment” because of section 1512(a)(last sentence) of the revised title.

In subsection (b), the word “Mayor” is used because of Reorganization Plan No. 3 of 1967 (eff. Aug. 11, 1967, 81 Stat. 948) and sections 421, 422, and 771 of the District of Columbia Self-Government and Governmental Reorganization Act (Pub. L. 93-198, 87 Stat. 789, 818). The word “President” is substituted for “President, through the Director of the Office of Management and Budget” because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President.

AMENDMENTS

2004—Subsec. (b). Pub. L. 108-447 inserted at end “A copy of each report shall also be transmitted to the Comptroller General on the same date the report is transmitted to the President and Congress.”

§ 1518. Adverse personnel actions

An officer or employee of the United States Government or of the District of Columbia government violating section 1517(a) of this title shall be subject to appropriate administrative discipline including, when circumstances warrant, suspension from duty without pay or removal from office.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 932.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1518	31:665(i)(1)(words before semicolon related to (h)).	R.S. §3679(i)(1)(words before semicolon related to (h)); Mar. 3, 1905, ch. 1484, §4(1st par.), 33 Stat. 1257; Feb. 27, 1906, ch. 510, §3, 34 Stat. 48; restated Sept. 6, 1950, ch. 896, §1211, 64 Stat. 768.

The words “In addition to any penalty or liability under other law” are omitted as surplus. The words “District of Columbia government” are added because of section 9 of the Act of June 26, 1912 (ch. 182, 37 Stat. 184).